

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ARISTA RECORDS, et al.,

Plaintiffs,

No. C 08-01674 JSW

v.

JOHN DOE,

Defendant.

**ORDER GRANTING *EX PARTE*
APPLICATION TO TAKE
IMMEDIATE DISCOVERY**

Upon the Plaintiffs' *Ex Parte* Application for Leave to Take Immediate Discovery, the Declaration of Carlos Linares, and the accompanying Memorandum of Law, it is hereby:

ORDERED that Plaintiffs may serve immediate discovery on California State University Monterey Bay to obtain the identity of Defendant John Doe ("Defendant") by serving a Rule 45 subpoena that seeks documents that identify Defendant, including the name, current (and permanent) address and telephone number, e-mail address, and Media Access Control addresses for Defendant. The disclosure of this information is pursuant to 20 U.S.C. § 1232g(b)(2)(B).

IT IS FURTHER ORDERED that if and when California State University Monterey Bay is served with a subpoena, it shall, within five business days, given written notice to the subscribers whose identities are to be disclosed in response to the subpoena. Such written notice may be achieved by messages sent by electronic email. If California State University Monterey Bay and/or any defendant wishes to move to quash the subpoena, they shall do so before the return date.

1 IT IS FURTHER ORDERED THAT any information disclosed to Plaintiffs in response
2 to the Rule 45 subpoena may be used by Plaintiffs solely for the purpose of protecting
3 Plaintiffs' rights under the Copyright Act.

4 **IT IS SO ORDERED.**

5
6 Dated: May 19, 2008



JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE